

MINUTES  
KANSAS BOARD OF VETERINARY EXAMINERS  
Sunday, June 1, 2014  
Manhattan, Kansas

This meeting of the Kansas Board of Veterinary Examiners was called to order at 9:00 a.m. by Board President Dr. Bogue. Board Members in attendance in addition to Dr. Bogue were Drs. Olson, Kobuszewski, Layton, Carlson, and Norton, and Ms. Manderick. Also present were agency staff Sarah Byrne, Dirk Hanson, Cheryl Mermis, and Konrad Coe, and Board General Counsel Athena Andaya. Litigation Counsel Wes Smith was also present.

The Board President recognized and welcomed those in attendance.

After reviewing the proposed agenda for this meeting, Dr. Carlson moved to adopt the meeting agenda as proposed. Dr. Kobuszewski seconded the motion. This motion passed on a voice vote with no dissenting votes.

Dr. Norton made a motion to approve the minutes of the two previous meetings and was seconded by Dr. Kobuszewski. The motion passed on a voice vote with no dissenting votes.

At 9:05 a.m. the following motion was made by Dr. Norton and seconded by Dr. Layton: "I move that the Board recess into executive session to discuss personnel matters of non-elected personnel to protect the privacy of persons involved. We require General Counsel Athena Andaya to be admitted to the executive session to aid the Board in their discussion. The Board will reconvene the open session in this same location at 9:35 a.m." The motion carried.

At 9:35 a.m., the Board reconvened its open meeting.

At 9:36 a.m. the following motion was made by Dr. Norton and seconded by Dr. Kobuszewski: "I move that the Board recess into executive session to discuss personnel matters of non-elected personnel to protect the privacy of persons involved. We require agency staff, and General Counsel Athena Andaya to be admitted to the executive session to aid the Board in their discussion. The Board will reconvene the open session in this same location at 10:06 a.m." The motion carried.

After a short break, the Board reconvened its open meeting at 10:15 a.m.

A public forum for non-agenda items was offered. No members of the public had requested to appear, and no members of the public appeared during this public forum.

The Board heard from Dr. Darren Rausch, concerning his request to amend the consent agreement he entered into with the Board in case #11025. Specifically, Dr. Rausch requested that he be allowed to prescribe and administer euthanasia drugs, anesthetic drugs, and pain relieving drugs: morphine, ketamine, diazepam, burtorphanol, buprenorphine, phenobarbital, telazol, pentobarbital. Dr. Rausch's boss, Dr. Maurgerite Ermeling, made a statement supporting Dr. Rausch's request. Dr. Rausch also requested permission to substitute Dr. Ermeling as his mentor. After discussion, Dr. Olson moved that

the matter be referred to the probable cause review team which had reviewed Dr. Rausch's case for a recommendation to the Board. Dr. Layton seconded the motion and the motion passed on a voice vote without dissent.

The Board heard from Dr. Michael Walsh, requesting a stay of the license suspension ordered by the Board in case #13024. Dr. Darren Rausch, who is Dr. Walsh's mentor, made a brief statement in support of Dr. Walsh's request. Dr. Carlson requested written updates on Dr. Walsh's progress, in accordance with the Consent Agreement. The Board recessed to a meeting under the Kansas Administrative Procedures Act to discuss options concerning Dr. Walsh's request. Upon reconvening in open meeting, Dr. Olson moved that the matter be referred to the probable cause review team which had reviewed Dr. Walsh's case for a recommendation to the Board. Dr. Norton seconded the motion and the motion passed on a voice vote without dissent.

Dr. Norton then made a motion that all staff of the KBVE be moved to the Kansas Department of Agriculture (KDA) and that all staff of KBVE be paid commensurate to like KDA staff on July 1, 2014. If these task force recommendations are not implemented as stated in their final report, the KBVE Board will be forced to consider other actions, including resignation. Dr. Layton seconded the motion. The motion passed unanimously.

Dr. Bogue then jumped to new business and welcomed Dr. Bill Brown, head of the Animal Health Division at KDA. Dr. Brown requested KBVE assistance in contacting Kansas licensed veterinarians with an invitation to participate in a national on-line survey concerning the mental health needs of veterinarians. The letter submitted to the Board asked KBVE to send an email containing a link to the survey to as many licensed veterinarians as have provided email addresses. Discussion among the Board members was that KDA has email addresses for Kansas licensed veterinarians, so why couldn't KDA send emails. Staff was instructed to clarify with Dr. Brown exactly what he wanted from KBVE.

Executive Director Sarah Byrne briefed the Board on that status of the Agency's budget, reporting that there is currently a surplus of approximately \$100,000 for FY 2014.

Director Byrne recommended amending the agency's document retention schedule for registered veterinary technician files. She recommended changing the existing series 0021-700 to apply only to initial registrations, and adding a new series for registered veterinary technician - renewals, with a one-year retention schedule. Director Byrne also recommended changing series 0014-700 and 0017-700 to allow for destruction of the documents rather than transfer to the archives. Dr. Carlson moved that the Board approve changes to the retention schedule as recommended by Director Byrne. The motion was seconded by Dr. Olson and passed on a voice vote without any dissenting votes.

The discussion of the Board turned to storage of documents off-site. Director Byrne notified the Board that all agency documents would not be scanned and stored electronically by the time the office was moved to Manhattan. She offered that Dr. Hanson had offered his garage for storage, or that the agency could rent space in its current office area for storage. The Board was uncomfortable with the storage of agency records off-site and instructed staff to hire a third party to prepare and scan agency records, and that such scanning should be accomplished as soon as possible.

Discussion then turned to the recommendations made by the Kansas Veterinary Medical Association (KVMA) for appointment to the Board to fill vacant seats. The Board expressed reservations concerning potential nominee Dr. Larry Snyder. Agency staff was instructed to notify KVMA of those reservations. Dr. Norton requested the response include concerns about the geographic distribution of Board members, as all potential nominees proposed live in northeast Kansas.

The American Association of Veterinary State Boards (AAVSB) had requested the Board consider proposed amendments to its bylaws. The Board members were instructed to review the proposals and bring any comments they had concerning the proposals to the August meeting. Dr. Carlson asked that the KBVE not support the proposed amendment six. The Board agreed to make sure the delegate to the national conference in September is aware of the Board's position on the proposals.

Investigator Dr. Dirk Hanson gave the Board a report on the status of outstanding cases. The Board was also given copies of written comments from customers of the Board, showing appreciation to the agency for ease of doing business and customer service.

Dr. Bogue decided to move the discussion of reviving the task force on the practice of veterinary medicine by non-veterinarians to the next meeting.

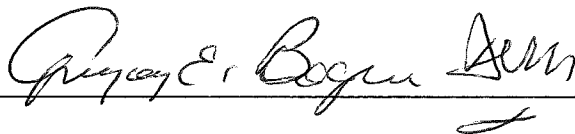
The next meeting of the Board will be August 22, 2014. Board members requested the meeting be held in Kansas City, as the Central States Veterinary Conference begins in Kansas City on that date. Dr. Hanson reported that registration for the conference may be waived if the Board meeting is held in conjunction with the conference. Director Byrne was instructed to request an opinion from the governmental ethics office on whether that may create a conflict of interest.

Dr. Olson requested the Board designate a representative to the SB 171 task force during the two-year trial merger. Dr. Olson offered to continue as the Board's representative if approved by the Board. Dr. Kobuszewski moved that Dr. Olson be appointed by the Board as representative to the task force during the trial merger and provide regular reports to the Board's vice president, Dr. Norton. The motion was seconded by Dr. Carlson and passed unanimously.

Dr. Bogue thanked Drs Olson and Carlson, whose terms expire this month, for their service to the Board.

Having no further business before the Board at this time, this meeting adjourned at 12:35 pm.

Signed: \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Gregory E. Bogue", is written over a horizontal line. The signature is fluid and includes a large, stylized initial "G".